

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

In re Applications of

SCRIPPS HOWARD
BROADCASTING COMPANY

For Renewal of License of
Station WMAR-TV,
Baltimore, Maryland

and

FOUR JACKS BROADCASTING, INC.

For Construction Permit for a
New Television Facility on
Channel 2 at Baltimore,
Maryland

) MM Docket No. 93-94

) File No. BRCT-910603KX

) File No. BPCT-910903KE

To: The Honorable Richard L. Sippel
Administrative Law Judge

DIRECT WRITTEN CASE EXHIBITS
OF FOUR JACKS BROADCASTING, INC.

FOUR JACKS BROADCASTING, INC.

Martin R. Leader
Kathryn R. Schmeltzer
Gregory L. Masters

Its Attorneys

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1255 23rd Street, N.W.
Suite 800
Washington, D.C. 20037
(202) 659-3494

Dated: September 13, 1993

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BROADCASTING COMPANY)	File No. BRCT-910603KX
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Four Jacks Broadcasting, Inc.
Exhibit 1

APPLICANT OWNERSHIP AND STRUCTURE

Four Jacks Broadcasting, Inc. ("Four Jacks") is a corporation organized under the laws of the State of Maryland. The company has 100 shares of common voting stock. David D. Smith, J. Duncan Smith, Robert E. Smith, and Frederick G. Smith, all of whom are brothers, each own 25% of the stock. David D. Smith is President and a Director of Four Jacks; J. Duncan Smith is Vice President, Secretary and a Director; Robert E. Smith is Vice President, Treasurer and a Director; and Frederick G. Smith is Vice President, Assistant Treasurer and a Director.

In the event that the Four Jacks application is granted, David D. Smith, Robert E. Smith, and Frederick G. Smith will each be integrated into the day-to-day management of the Baltimore television station on a full-time basis (at least 40 hours per week). David D. Smith will be the General Manager, Robert E. Smith will be the Station Manager, and Frederick G. Smith will be the Operations Manager of the Baltimore television station.

Four Jacks has no ownership interest in or control over any medium of mass communications. The principals of Four Jacks hold various media interests which are set forth below. Should the Four Jacks application for Channel 2 at Baltimore, Maryland be granted, the principals of Four Jacks have timely proposed to divest, in a manner which will be in compliance with Section 73.3555 of the Commission's Rules and Regulations, all of their

Federal Communications Commis.

Docket No. 93-94 Exhibit No. 1

Presented by Fawn Jackson

Disposition	{	Identified	<u>10.6.93</u>
		Received	<u>10.6.93</u>
		Rejected	<u> </u>

Reporter Alvin Walker

Date 10.6.93

interests in and sever all connections with WBFF(TV), Channel 45, Baltimore, Maryland.

Four Jacks will install auxiliary power at the proposed Baltimore station's transmitter site and main studio in order to permit continuous operation in the event of a power failure.

Broadcast Interests of Four Jacks' Principals

Sinclair Broadcast Group, Inc. ("SBG") wholly owns Commercial Radio Institute, Inc. ("CRI"). CRI, in turn, wholly owns WPGH, Inc.; WTTE, Channel 28, Inc.; and Chesapeake Television, Inc.

WPGH, Inc. wholly owns WPGH Licensee, Inc., the licensee of WPGH-TV, Pittsburgh, Pennsylvania.

WTTE, Channel 28, Inc. wholly owns WTTE, Channel 28 Licensee, Inc., the licensee of WTTE(TV), Columbus, Ohio.

Chesapeake Television, Inc. wholly owns Chesapeake Television Licensee, Inc., the licensee of WBFF(TV), Baltimore, Maryland.

The principals of Four Jacks also hold interests in:

Channel 63, Inc., the licensee of WIIB(TV), Bloomington, Indiana; and

Bay Television, Inc., the licensee of WTTA(TV), St. Petersburg, Florida.

The following individuals and entities have the following interests in the entities specified below:

<u>Entity or Individual</u>	<u>Position</u>	<u>Stock</u>
<u>SBG:</u>		
David D. Smith	President, Director	25%
J. Duncan Smith	Vice President, Secretary, Director	25%
Robert E. Smith	Vice President, Treasurer, Director	25%
Frederick G. Smith	Vice President, Assistant Treasurer, Director	25%

<u>Entity or Individual</u>	<u>Position</u>	<u>Stock</u>
<u>CRI:</u>		
David D. Smith	President, Director	0%
J. Duncan Smith	Vice President, Secretary, Director	0%
Robert E. Smith	Vice President, Treasurer, Director	0%
Frederick G. Smith	Vice President, Assistant Treasurer, Director	0%
SBG	---	100%
<u>WPGH, INC.:</u>		
David D. Smith	President, Director	0%
J. Duncan Smith	Vice President, Secretary, Director	0%
Robert E. Smith	Vice President, Treasurer, Director	0%
Frederick G. Smith	Vice President, Assistant Treasurer, Director	0%
CRI	---	100%
<u>WPGH LICENSEE, INC.:</u>		
David D. Smith	President, Director	0%
J. Duncan Smith	Vice President, Secretary, Director	0%
Robert E. Smith	Vice President, Treasurer, Director	0%
Frederick G. Smith	Vice President, Assistant Treasurer, Director	0%
WPGH, Inc.	---	100%
<u>WTTE, CHANNEL 28, INC.:</u>		
David D. Smith	President, Director	0%
J. Duncan Smith	Vice President, Secretary, Director	0%
Robert E. Smith	Vice President, Treasurer, Director	0%
Frederick G. Smith	Vice President, Assistant Treasurer, Director	0%
CRI	---	100%

<u>Entity or Individual</u>	<u>Position</u>	<u>Stock</u>
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WTTE, CHANNEL 28 LICENSEE, INC.:

David D. Smith	President, Director	0%
J. Duncan Smith	Vice President, Secretary, Director	0%
Robert E. Smith	Vice President, Treasurer, Director	0%
Frederick G. Smith	Vice President, Assistant Treasurer, Director	0%
WTTE, Channel 28, Inc.	---	100%

CHESAPEAKE TELEVISION, INC.:

David D. Smith	President, Director	0%
J. Duncan Smith	Vice President, Secretary, Director	0%
Robert E. Smith	Vice President, Treasurer, Director	0%
Frederick G. Smith	Vice President, Assistant Treasurer, Director	0%
CRI	---	100%

CHESAPEAKE TELEVISION LICENSEE, INC.:

David D. Smith	President, Director	0%
J. Duncan Smith	Vice President, Secretary, Director	0%
Robert E. Smith	Vice President, Treasurer, Director	0%
Frederick G. Smith	Vice President, Assistant Treasurer, Director	0%
Chesapeake Television, Inc.	---	100%

CHANNEL 63, INC.:

David D. Smith	President, Director	25%
J. Duncan Smith	Vice President, Secretary, Director	25%
Robert E. Smith	Vice President, Treasurer, Director	25%
Frederick G. Smith	Vice President, Assistant Treasurer, Director	25%

<u>Entity or Individual</u>	<u>Position</u>	<u>Stock</u>
<u>BAY TELEVISION, INC.</u>		
David D. Smith	President, Director	18.8%
J. Duncan Smith	Vice President, Secretary, Director	18.8%
Robert E. Smith	Treasurer, Director	18.8%
Frederick G. Smith	Assistant Treasurer, Director	18.8%
Robert L. Simmons	Assistant Secretary, Director	25.0%

Pending Applications

In addition, the principals of Four Jacks have interests in the following applications pending before the FCC:

The principals of Four Jacks have interests in WTTO Licensee, Inc., the proposed Assignee in a pending application for consent to the assignment of license of television station WTTO(TV), Birmingham, Alabama (FCC File No. BALCT-930816KV). WTTO Licensee, Inc. is wholly owned by WTTO, Inc., which in turn is wholly owned by CRI.

The principals of Four Jacks have interests in WCGV Licensee, Inc., the proposed Assignee in a pending application for consent to the assignment of license of television station WCGV-TV, Milwaukee, Wisconsin (FCC File No. BALCT-930816KU). WCGV Licensee, Inc. is wholly owned by WCGV, Inc., which in turn is wholly owned by CRI.

With respect to the above-listed applications, the following individuals and entities have the following interests in the entities specified below:

<u>Entity or Individual</u>	<u>Position</u>	<u>Stock</u>
-----------------------------	-----------------	--------------

WTTO, INC.:

David D. Smith	President, Director	0%
J. Duncan Smith	Vice President, Secretary, Director	0%
Robert E. Smith	Vice President, Treasurer, Director	0%
Frederick G. Smith	Vice President, Assistant Treasurer, Director	0%
CRI	---	100%

WTTO LICENSEE, INC.:

David D. Smith	President, Director	0%
J. Duncan Smith	Vice President, Secretary, Director	0%
Robert E. Smith	Vice President, Treasurer, Director	0%
Frederick G. Smith	Vice President, Assistant Treasurer, Director	0%
WTTO, Inc.	---	100%

WCGV, INC.:

David D. Smith	President, Director	0%
J. Duncan Smith	Vice President, Secretary, Director	0%
Robert E. Smith	Vice President, Treasurer, Director	0%
Frederick G. Smith	Vice President, Assistant Treasurer, Director	0%
CRI	---	100%

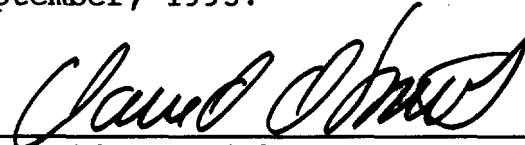
WCGV LICENSEE, INC.:

David D. Smith	President, Director	0%
J. Duncan Smith	Vice President, Secretary, Director	0%
Robert E. Smith	Vice President, Treasurer, Director	0%
Frederick G. Smith	Vice President, Assistant Treasurer, Director	0%
WCGV, Inc.	---	100%

DECLARATION

I, David D. Smith, have read the foregoing Four Jacks Broadcasting, Inc. Exhibit 1, entitled "Applicant Ownership and Structure," and I declare under penalty of perjury that it is true and correct.

Executed this 10th day of September, 1993.

A handwritten signature in cursive script, appearing to read "David D. Smith", written over a horizontal line.

David D. Smith
President
Four Jacks Broadcasting, Inc.

**FOUR JACKS
EXHIBIT 2**

Federal Communications Commission

Docket No. 93-94 Exhibit No. 2

Presented by John J. Baker

Disposition { Identified 10.6.93
Received _____
Rejected _____

Reporter Arthur H. Hines

Date 10.6.93

DECLARATION OF DAVID D. SMITH

A. Integration - Quantitative

In the event that the application of Four Jacks Broadcasting, Inc. ("Four Jacks") for a new television station on Channel 2 in Baltimore, Maryland, is granted, I, David D. Smith, the President, a Director, and a 25% shareholder of Four Jacks, will work at the Baltimore station on a full-time basis (a minimum of forty (40) hours per week) as General Manager. In that position, my responsibilities will include supervision of the day-to-day operation of the station, supervision of the hiring and firing of personnel, formulation of all station policies, oversight of station finances, selection, development and procurement of the station's entertainment programming, and implementation of the station's EEO program. In the event of a grant of Four Jacks' application, to fulfill my integration commitment, I will resign from my then-current employment and will limit or terminate any other activities that might interfere with my integration commitment.

I am presently an officer, director and shareholder of Sinclair Broadcast Group, Inc. ("SBG"), which through various subsidiaries owns the media interests set forth in Four Jacks Exhibit 1. As set forth herein, I have proposed to divest all of my interests in and sever all connections with WBFF(TV), Baltimore, Maryland, should Four Jacks' application for Channel 2

Federal Communications Commission

Docket No. 93-94 Exhibit No. 2

Presented Four Jacks

Notified 10.6.93

Dispost Received 10.6.93

Noted

Reporter Alicia Walker

Date 10.6.93

at Baltimore be granted. Each of the other stations owned (or to be acquired) by SBG has a professional General Manager who is fully responsible for each station's day-to-day operations. Moreover, SBG has a full-time Comptroller who handles SBG's financial and business operations on a daily basis. Thus, notwithstanding SBG's other media interests, I am able and committed to carrying out my pledge to manage, on a full-time basis, a VHF television station in Baltimore, Maryland, the community where I was born and have lived virtually all my life.

B. Integration - Qualitative

1. Local Residence

I presently reside at 802 Hillstead Drive, Lutherville, Maryland, where I have lived since August 1989. That address is within the Grade A service contour of Four Jacks' proposed Baltimore station. I was born in Baltimore, and have lived either in Baltimore or within the proposed station's service area for approximately 39 of my 42 years. I intend to continue to reside within the service area of the proposed Baltimore station if Four Jacks is granted the construction permit.

2. Broadcast Experience

My broadcast experience began at approximately the age of 12, when I began accompanying my late father Julian Sinclair Smith, a Baltimore broadcast pioneer who passed away in early

1993, on his trips to WFMM, a Baltimore FM radio station that he owned. I watched my father as he did maintenance on the station's equipment, and I began to learn the technical side of broadcasting. By the age of 15, I was working several hours a day at the radio station after school and on weekends, where I performed production work, spun records, and learned more about the operation of a broadcast station. In 1971, when my father phased out of the radio station to begin operating WBFF(TV), I took over responsibility for the technical and maintenance aspects of the radio station. I retained these responsibilities until the radio station was sold in 1976 or 1977.

During 1970, I assisted my father in constructing television station WBFF(TV). Once the station went on the air in 1971, and simultaneously with my work at my father's radio station, I was involved with engineering and technical maintenance at WBFF(TV). I continued in this role at WBFF(TV) until 1978.

In 1978, I moved to Massachusetts and started Comark Communications, Inc. ("Comark"), a manufacturer of high-power television transmitters, antennas, transmission lines, and related equipment for UHF television stations. Though I moved back to Baltimore in 1979, I retained my interest in Comark until 1984. As Vice President and a principal stockholder of Comark, I negotiated numerous contracts for the sale of transmitters to foreign governments, including the People's Republic of China. During the period 1978 to 1986, Comark was directly involved in providing and installing approximately 50% of all the new UHF

television transmitters in the United States. In early 1980, Comark started an affiliate called Comark Television, Inc. Comark became the licensee of television station WPXT, Portland, Maine. In 1984, I obtained an ownership interest in television station WDSI, Chattanooga, Tennessee, moving to Chattanooga for a brief time to oversee my investment. The Portland and Chattanooga stations were sold in 1983 and 1985, respectively.

In 1984, I left Comark and returned to work at the family-owned television business. For approximately a year and a half, I worked as General Manager at television station WPTT, Pittsburgh, Pennsylvania, which my family then owned (it was sold in 1991).

In mid-1985, with my father's health failing, I hired a replacement General Manager at WPTT(TV) and returned to Baltimore to assist my father in the operation of WBFF(TV). As the years passed and my father's involvement diminished, my role in the overall management of the family television business increased. I assisted in the financing and construction of television station WTTE(TV), Columbus, Ohio. My three brothers and I presently oversee the operation of the Baltimore and Columbus television stations, as well as station WPGH-TV, Pittsburgh, Pennsylvania; station WIIB(TV), Indianapolis, Indiana; and station WTTA(TV), St. Petersburg, Florida.

My brothers and I have been greatly involved in the Baltimore community through our operation of our Baltimore station, WBFF(TV). Together with the Maryland Mathematics,

Engineering and Science Association ("MESA"), WBFF(TV) presents two scholarships annually to Baltimore-area minority students interested in engineering and mathematics. These scholarships are named the Julian Sinclair Smith Memorial Scholarships in honor of my late father's devotion to technical and engineering excellence. WBFF(TV) has instituted a program called Champions of Courage, an essay contest in which Baltimore inner city children compose an essay about their role models. The essay finalists appear on WBFF(TV) to read from their compositions, and the station holds a banquet at which the participants -- as well as their role models -- appear to receive awards. WBFF(TV) has also participated in campaigns to discourage drinking and driving, and has worked with charities such as the American Cancer Society, American Leukemia Society, Cystic Fibrosis, American Parkinson's Society, Multiple Sclerosis, Johns Hopkins Hospital, and Ronald McDonald House.

C. Diversification

I am the President, a Director, and a 25% shareholder in Sinclair Broadcast Group, Inc. ("SBG"). SBG wholly owns Commercial Radio Institute, Inc. ("CRI"), of which I am the President and a Director. CRI wholly owns the following entities:

WPGH, Inc., which in turn wholly owns WPGH Licensee, Inc., the licensee of WPGH-TV, Pittsburgh, Pennsylvania. I am the President and a Director of both WPGH, Inc. and WPGH Licensee, Inc.

WTTE, Channel 28, Inc., which in turn wholly owns WTTE, Channel 28 Licensee, Inc., the licensee of WTTE(TV), Columbus, Ohio. I am the President and a Director of both WTTE, Channel 28, Inc. and WTTE, Channel 28 Licensee, Inc.

Chesapeake Television, Inc., which in turn wholly owns Chesapeake Television Licensee, Inc., the licensee of WBFF(TV), Baltimore, Maryland. I am the President and a Director of both Chesapeake Television, Inc. and Chesapeake Television Licensee, Inc.

WTTT, Inc., which in turn wholly owns WTTT Licensee, Inc., the proposed Assignee in a pending application for consent to the assignment of license of WTTT(TV), Birmingham, Alabama. I am the President and a Director of both WTTT, Inc. and WTTT Licensee, Inc.

WCGV, Inc., which in turn wholly owns WCGV Licensee, Inc., the proposed Assignee in a pending application for consent to the assignment of license of WCGV-TV, Milwaukee, Wisconsin. I am the President and a Director of both WCGV, Inc. and WCGV Licensee, Inc.

In addition, I am the President, a Director, and a 25% shareholder in Channel 63, Inc., the licensee of WIIB(TV), Bloomington, Indiana. I am also the President, a Director, and an 18.8% shareholder in Bay Television, Inc., the licensee of WTTA(TV), St. Petersburg, Florida.

Should Four Jacks' application for Channel 2 at Baltimore, Maryland be granted, I have timely proposed to divest, in a manner which will be in compliance with Section 73.3555 of the Commission's Rules and Regulations, all of my interests in and sever all connections with WBFF(TV), Channel 45, Baltimore, Maryland.

DECLARATION

I, David D. Smith, have read the foregoing Four Jacks Broadcasting, Inc. Exhibit 2, entitled "Declaration of David D. Smith," and I declare under penalty of perjury that it is true and correct.

Executed this 10th day of September, 1993.

A handwritten signature in cursive script, appearing to read "David D. Smith", is written over a horizontal line.

David D. Smith

**FOUR JACKS
EXHIBIT 3**

DECLARATION OF ROBERT E. SMITH

A. Integration - Quantitative

In the event that the application of Four Jacks Broadcasting, Inc. ("Four Jacks") for a new television station on Channel 2 in Baltimore, Maryland, is granted, I, Robert E. Smith, Vice President, Treasurer, a Director, and a 25% shareholder of Four Jacks, will work at the Baltimore station on a full-time basis (a minimum of forty (40) hours per week) as Station Manager. In that position, my responsibilities will include ascertainment of community needs and concerns, oversight and maintenance of the station's public inspection file, selection and development of the station's public affairs and news programming, and ensuring community awareness of the station through promotions and charitable projects. In the event of a grant of Four Jacks' application, to fulfill my integration commitment, I will resign from my then-current employment and will limit or terminate any other activities that might interfere with my integration commitment.

I am presently an officer, director and shareholder of Sinclair Broadcast Group, Inc. ("SBG"), which through various subsidiaries owns the media interests set forth in Four Jacks Exhibit 1. As set forth herein, I have proposed to divest all of my interests in and sever all connections with WBFF(TV), Baltimore, Maryland, should Four Jacks' application for Channel 2

Federal Communications Commission

Docket No. 93-94 Exhibit No. 3

Presented by Four Jack

Disposition	{	Identified	<u>10.6.93</u>
		Received	<u>10.6.93</u>
		Rejected	<u> </u>

Reporter Alvin Wehner

Date 10.6.93